

**(1) Petition for Final Distribution and (2) For Allowance of Statutory Attorneys Fees
on Waivers of Accounting**

DOD: 04/29/2001		DANIEL ISSISARRI , executor, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Accounting is waived.	
Cont. from		I&A - \$160,773.11	
		POH - \$418,522.92	
<input type="checkbox"/>	Aff.Sub.Wit.	Executor – Waives	
<input checked="" type="checkbox"/>	Verified	Attorney - \$11,915.46	
<input type="checkbox"/>	Inventory	Closing Expenses - \$2,500.00 (taxes)	
<input type="checkbox"/>	PTC	Distribution pursuant to decedent's will, is to:	
<input type="checkbox"/>	Not.Cred.	J. Daniel Irissarri – \$80,820.90	
<input checked="" type="checkbox"/>	Notice of Hrg	Gerald J. Irissarri - \$80,820.90	
<input checked="" type="checkbox"/>	Aff.Mail	Robert L. Irissarri - \$80,820.90	
<input type="checkbox"/>	Aff.Pub.	Denise A. Michaelian - \$80,820.90	
<input type="checkbox"/>	Sp.Ntc.	Mark E. Irissari - \$80,820.90	
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters 03/05/2002		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input checked="" type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input checked="" type="checkbox"/>	FTB Notice		
			Reviewed by: LV
			Reviewed on: 03/24/2014
			Updates:
			Recommendation: Submitted
			File 1 – Irissarri

(1) Petition for Final Distribution and (2) for Allowance of Statutory Attorneys Fees
on Waiver of Accounting and Notice of Hearing

DOD: 2/26/2005		CELINA GONZALEZ , Executor, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Accounting is waived.	
Cont. from		I & A - \$169,000.00	
		POH - \$0	
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified	Executor - waives	
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC	Attorney - \$6,070.00	
<input type="checkbox"/>	Not.Cred.	(statutory, to be paid outside of probate)	
<input checked="" type="checkbox"/>	Notice of Hrg	Petition states the executor/sole heir has used all the estate funds for her personal living expenses.	
<input checked="" type="checkbox"/>	Aff.Mail	W/	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.	Distribution, pursuant to Decedent's Will, is to:	
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen	Celina Gonzalez - \$0	
<input checked="" type="checkbox"/>	Letters	4/19/05	
<input checked="" type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input checked="" type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice	N/A	
			Reviewed by: KT
			Reviewed on: 3/24/14
			Updates:
			Recommendation: SUBMITTED
			File 2 – Noel

Atty Hopper, Cindy J. (for Anthony & Maria Simas – guardians)

Atty Jones, Angel M. (pro per – Mother)

Status Hearing Re: Visitation; Further Report from the Investigator

Age: 4	ANTHONY SIMAS , paternal grandfather, and MARIA SIMAS , paternal grandmother, were appointed as Co-Guardians of the Person on 01/05/12.	NEEDS/PROBLEMS/COMMENTS:
	ANGEL M. JONES , mother, filed a Petition to Terminate the Guardianship on 12/06/13. The Petition to Terminate was denied on 02/05/14.	
Cont. from	Minute Order from hearing on 02/05/14 set the matter for a status hearing re Visitation, Further Report from Investigator.	
Aff.Sub.Wit.	Court Investigator Julie Negrete filed a report on 03/13/14.	
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: JF
		Reviewed on: 03/24/14
		Updates:
		Recommendation:
		File 3 – Catuiza

(1) First and Final Account and Report of Executrix and Petition for Its Settlement and (2) for Allowance of Compensation to Attorneys for Ordinary Services and Costs Advanced and (3) for Allowance of Compensation to Attorneys for Extraordinary Services and (4) for Reimbursement of Estate Expenses and (5) for Final Distribution

DOD: 1/11/10		JENNIE ORONA , Executor, is petitioner.	NEEDS/PROBLEMS/COMMENTS: 1. Petition does not include the account period. Probate Code § 1061 (a).
		Account period: not stated	
		Accounting - \$214,379.15	
		Beginning POH - \$201,155.61	
		Ending POH - \$ 64,520.13	
Cont. from		Executor - waives	
<input type="checkbox"/>	Aff.Sub.Wit.	Executor costs - \$20,714.20 (mortgage payments, funeral expense, filing fees)	
<input checked="" type="checkbox"/>	Verified	Attorney - \$6,787.58 (\$7,287.59 statutory less \$500.00 petitioner paid to a paralegal prior to hiring the attorney.)	
<input checked="" type="checkbox"/>	Inventory	Attorney x/o - \$1,000.00 (for sale of real property)	
<input checked="" type="checkbox"/>	PTC	Attorney costs - \$1,266.78 (probate referee, filing fees, certified copies)	
<input checked="" type="checkbox"/>	Not.Cred.	Closing - \$3,000.00	
<input checked="" type="checkbox"/>	Notice of Hrg	Distribution, pursuant to Decedent's Will, is to:	
<input checked="" type="checkbox"/>	Aff.Mail	Danielle Falcon Orona (Fullmer) - \$14,374.58	
	Aff.Pub.	Alexandria Falcon Orona - \$14,374.58	
	Sp.Ntc.	Jennie Orona - \$3,002.41 (\$14,374.58 less \$11,372.16 in preliminary distributions)	
	Pers.Serv.		
	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
<input checked="" type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
<input checked="" type="checkbox"/>	FTB Notice		

Reviewed by: KT
Reviewed on: 3/24/14
Updates:
Recommendation:
File 4 – Orona

(1) First Account and Report of Administrator and Petition for Its Settlement and (2)
for Allowance of Compensation for Extraordinary Fees to Attorneys

DOD: 8/25/12		DELIA GONZALEZ , Administrator, is petitioner.	NEEDS/PROBLEMS/ COMMENTS: Please see additional page
		Account period: 8/25/12 – 11/21/13	
		Accounting - \$2,537,347.21	
		Beginning POH - \$2,401,634.47	
		Ending POH - \$1,847,330.25	
Cont. from		Bond is set at \$200,000.00	
<input type="checkbox"/>	Aff.Sub.Wit.	Petitioner states the estate is not yet in a condition to close. JDM Transport Inc., JDM Brokerage Inc., and L & M Inc., (all assets of the estate) have unresolved issues with the IRS.	
<input checked="" type="checkbox"/>	Verified		
<input checked="" type="checkbox"/>	Inventory		
<input checked="" type="checkbox"/>	PTC		
<input checked="" type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail	W/	
<input type="checkbox"/>	Aff.Pub.	There is outstanding litigation. Francisco De La Mora vs. Irtlybird Landscape, Fresno Superior Court Case no. 12CECG02162 is set for mandatory settlement conference on 4/16/14 and for trial on 5/12/14 in Dept. 51.	
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters	10/15/12	
<input type="checkbox"/>	Duties/Supp	Petition states attorney Daniel Bruce and the firm of Wild, Carter and Tipton performed extraordinary legal services in the administration of the estate. Petitioner paid Daniel Bruce for services rendered prior to the decedent's death in the amount of \$1,298.63. Wild, Carter and Tipton were retained to make corrections through the DMV on a scrivener's error on the title of one of the vehicles that were sold. Wild, Carter and Tipton was paid \$234.37.	
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input checked="" type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input checked="" type="checkbox"/>	FTB Notice		
Petitioner prays that: 1. The first account and report be settled, allowed and approved; 2. All acts and proceedings of Petitioner as Administrator be confirmed and approved; 3. Approval of prior payments of attorney fees to Daniel Bruce and Wild, Carter and Tipton.			Reviewed by: KT Reviewed on: 3/25/14 Updates: Recommendation: File 5 – De La Mora

There are several issues with the accounting that need clarification.

1. Property on hand schedule lists values for property that are inconsistent with the values listed on the supplemental inventory and appraisal.
 - a. 2005 Cadillac, item #17 on the supplemental inventory and appraisal is valued at \$6,500.00. However this same item is valued at \$4,725.00 on the property on hand schedule
 - b. 2006 GRATD Trailer, item #18 on the supplemental inventory and appraisal is valued at \$46,834.32. However, this same item is valued at \$37,184.32 on the property on hand schedule.
 - c. 2003 FRHT Commercial, item #20 on the supplemental inventory and appraisal is valued at \$14,575.00. However this same item is valued at \$12,500.00 on the property on hand schedule.
 - d. 2006 PTRB, #22 on the supplemental inventory and appraisal is valued at \$59,981.00. However it is valued at \$49,698.50 on the property on hand schedule.
 - e. 2005 FRHT, item #24 on the supplemental inventory and appraisal is valued at \$12,000.00. However this same item is valued on the property on hand at \$6,500.00.
 - f. 1997 UTILI Trailer, item #27 on the supplemental inventory and appraisal is valued at \$5,700. However, this same item is valued in the property on hand schedule at \$3,300.00.
 - g. 2000 Peter Built, item #29 on the supplemental inventory and appraisal is valued at \$12,458.00. However, this same item is valued in the property on h and schedule at \$8,588.00.
 - h. 2007 PTRB Commercial, item #33 on the supplemental inventory and appraisal is valued at \$9,500.00. However, this same item is valued on the property on hand schedule at \$8,850.00.
 - i. 2000 FRHT Commercial, item #34 on the supplemental inventory and appraisal is valued at \$3,500.00. However, this same item is valued on the property on hand schedule at \$3,000.00.
2. Items #2 through #15 and item #21 of the supplemental inventory and appraisal do not appear to be included in this accounting. Need the status of all inventoried items.
3. Property on hand includes \$663,245.91 at Bank of America. This amount is more that the amount that is federally Insured.
4. Based on the property on hand schedule the accounts that are not identified as blocked total \$663,245.91. Therefore bond should be increased to \$700,000.00 (property on hand plus income for one year).
5. Order does not comply with Local Rule 7.6.1C. Need new order.

(1) First Account and Report of Administrator and Petition for Its Settlement and (2)
for Allowance of Compensation for Extraordinary Fees to Attorneys

DOD: 8/25/12		DELIA GONZALEZ , Administrator, is petitioner.	NEEDS/PROBLEMS/COMMENTS: Please see additional page
		Account period: 8/25/12 – 11/22/13	
		Accounting - \$2,335,092.19	
		Beginning POH - \$2,199,572.83	
		Ending POH - \$1,606,944.56	
Cont. from		Bond is set at \$200,000.00	
<input type="checkbox"/>	Aff.Sub.Wit.	Petitioner states the estate is not yet in a condition to close. JDM Transport Inc., JDM Brokerage Inc., and L & M Inc., (all assets of the estate) have unresolved issues with the IRS.	
<input checked="" type="checkbox"/>	Verified	There is outstanding litigation. Francisco De La Mora vs. Irtlybird Landscape, Fresno Superior Court Case no. 12CECG02162 is set for mandatory settlement conference on 4/16/14 and for trial on 5/12/14 in Dept. 51.	
<input checked="" type="checkbox"/>	Inventory	Petition states attorney Daniel Bruce and the firm of Wild, Carter and Tipton performed extraordinary legal services in the administration of the estate. Petitioner paid Daniel Bruce for services rendered prior to the decedent's death in the amount of \$1,298.63. Wild, Carter and Tipton were retained to make corrections through the DMV on a scrivener's error on the title of one of the vehicles that were sold. Wild, Carter and Tipton was paid \$234.37.	
<input checked="" type="checkbox"/>	PTC	This court authorized payment of \$5,000.00 to Helon and Manfredo to pay initial expenses of settling a wrongful death lawsuit brought by Jesse Salguero. Petitioner requests authority to pay Helon and Manfredo a total of \$18,222.75 for extraordinary services in connection with the settlement of the wrongful death action.	
<input checked="" type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg	W/	
<input checked="" type="checkbox"/>	Aff.Mail		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters	10/15/12	
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input checked="" type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCC/JEA		
<input type="checkbox"/>	Citation		
<input checked="" type="checkbox"/>	FTB Notice		

Reviewed by: KT
Reviewed on: 3/25/14
Updates:
Recommendation:
File 6 – De La Mora

Petitioner prays that:

4. The first account and report be settled, allowed and approved;
 5. All acts and proceedings of Petitioner as Administrator be confirmed and approved;
- Approval of prior payments of attorney fees to Daniel Bruce, Wild, Carter and Tipton and Helon and Manfredo.

NEEDS/PROBLEMS/COMMENTS:**There are several issues with the accounting that need clarification.**

6. Property on hand schedule lists values for property that are inconsistent with the values listed on the supplemental inventory and appraisal.
 - j. 2005 Cadillac, item #17 on the supplemental inventory and appraisal is valued at \$6,500.00. However this same item is valued at \$4,725.00 on the property on hand schedule
 - k. 2006 GRATD Trailer, item #18 on the supplemental inventory and appraisal is valued at \$46,834.32. However, this same item is valued at \$37,184.32 on the property on hand schedule.
 - l. 2003 FRHT Commercial, item #20 on the supplemental inventory and appraisal is valued at \$14,575.00. However this same item is valued at \$12,500.00 on the property on hand schedule.
 - m. 2006 PTRB, #22 on the supplemental inventory and appraisal is valued at \$59,981.00. However it is valued at \$49,698.50 on the property on hand schedule.
 - n. 2005 FRHT, item #24 on the supplemental inventory and appraisal is valued at \$12,000.00. However this same item is valued on the property on hand at \$6,500.00.
 - o. 1997 UTILI Trailer, item #27 on the supplemental inventory and appraisal is valued at \$5,700. However, this same item is valued in the property on hand schedule at \$3,300.00.
 - p. 2000 Peter Built, item #29 on the supplemental inventory and appraisal is valued at \$12,458.00. However, this same item is valued in the property on h and schedule at \$8,588.00.
 - q. 2007 PTRB Commercial, item #33 on the supplemental inventory and appraisal is valued at \$9,500.00. However, this same item is valued on the property on hand schedule at \$8,850.00.
 - r. 2000 FRHT Commercial, item #34 on the supplemental inventory and appraisal is valued at \$3,500.00. However, this same item is valued on the property on hand schedule at \$3,000.00.
7. Items #2 through #15 and item #21 of the supplemental inventory and appraisal do not appear to be included in this accounting. Need the status of all inventoried items.
8. Property on hand includes \$530,122.81 at Bank of America. This amount is more that the amount that is federally Insured.
9. Based on the property on hand schedule the accounts that are not identified as blocked total \$530,122.81. Therefore bond should be increased to \$570,000.00 (property on hand plus income for one year).
10. Order does not comply with Local Rule 7.6.1C. Need new order.

(1) Petition for Settlement on Waiver of Account; (2) Petition for Final Distribution
and (3) for Allowance of Compensation for Ordinary Services

DOD: 08/06/13		SARA JUSTINE MILLIKIN , Executor, is Petitioner.		NEEDS/PROBLEMS/COMMENTS:	
		Accounting is waived.			
Cont. from		I & A - \$198,707.31		<p>1. The calculation of the statutory fee includes a gain on sale in the amount of \$4,000.00. Therefore, need detailed schedules of receipt and gains and losses on sale pursuant to GA Rules of Court Rule 7.550(b)(6). Further, it appears that there is an error in the calculation of the statutory fee, therefore the amounts to be distributed may need revision.</p> <p>Note to Judge: Examiner has retained the order in this matter due to the above.</p>	
<input type="checkbox"/>	Aff.Sub.Wit.	POH - \$178,470.30 (all cash)			
<input checked="" type="checkbox"/>	Verified	Executor - waived			
<input checked="" type="checkbox"/>	Inventory	Attorney - \$7,014.15 \$6,961.22 (statutory – see note 1)			
<input checked="" type="checkbox"/>	PTC	Closing- \$800.00			
<input checked="" type="checkbox"/>	Not.Cred.	Distribution, pursuant to decedent's will, is to:			
<input checked="" type="checkbox"/>	Notice of Hrg	Sara Justine Mullikin - \$85,328.07			
<input checked="" type="checkbox"/>	Aff.Mail	Lucas Eugene Mullikin - \$85,328.08			
<input type="checkbox"/>	Aff.Pub.				
<input type="checkbox"/>	Sp.Ntc.				
<input type="checkbox"/>	Pers.Serv.				
<input type="checkbox"/>	Conf. Screen				
<input type="checkbox"/>	Letters	<input type="checkbox"/>	09/25/13		
<input type="checkbox"/>	Duties/Supp				
<input type="checkbox"/>	Objections				
<input type="checkbox"/>	Video Receipt				
<input type="checkbox"/>	CI Report				
<input checked="" type="checkbox"/>	9202				
<input checked="" type="checkbox"/>	Order				
<input type="checkbox"/>	Aff. Posting				
<input type="checkbox"/>	Status Rpt				
<input type="checkbox"/>	UCCJEA				
<input type="checkbox"/>	Citation				
<input checked="" type="checkbox"/>	FTB Notice				
				Reviewed by: JF	
				Reviewed on: 03/24/14	
				Updates:	
				Recommendation: SUBMITTED	
				File 7 – Lambert	

		<p>DAVID WASHINGTON, Son, is Petitioner and requests appointment as Conservator of the Person with medical consent and dementia powers as well as powers related to the capacity of the proposed Conservatee under Probate Code § 1873 and care of the proposed Conservatee under Probate Code § 2351-2358, and as Conservator of the Estate with powers pursuant to Probate Code § 2590 with bond of \$11,000.00.</p> <p>Voting rights affected</p> <p>Two Capacity Declarations are filed.</p> <ul style="list-style-type: none"> Capacity Declaration of Lyamar G. Bik., MD, dated 11-22-13, supports the request for medical consent powers and dementia medication powers; however, does not support dementia placement powers. Declaration states Proposed Conservatee has 24-hour care in her own home. Capacity Declaration of Leonel Apodaca, Jr., MD, dated 11-25-13 supports the request for medical consent and dementia medication and placement powers. <p>Estimated Value of Estate: Personal property: \$10,000.00 Annual income: Unknown</p> <p>Petitioner states the Proposed Conservatee has suffered a series of strokes and is unable to comprehend. She has been diagnosed with dementia and is unable to understand and make medical and financial decisions. She no longer recognizes her children. The Proposed Conservatee's spouse recently died and she will inherit real property and cash from his estate. A conservator is necessary to manage her assets. She does not like leaving her residence, but does not have a sense of personal safety and will wander into traffic if unsupervised.</p> <p>Court Investigator Dina Calvillo filed a report on 1-17-14.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Court Investigator advised rights on 1-10-14</p> <p>Note: The original petition filed 12-6-13 was heard on 1-22-14. The Court directed Petitioner to file an amended petition with general powers.</p> <p>This amended petition appears to still request the additional powers under Probate Code § 2590, etc., without further explanation.</p> <p>Voting rights affected – need minute order.</p> <p style="text-align: center;"><u>SEE PAGE 2</u></p>
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail		W
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input checked="" type="checkbox"/>	Pers.Serv.		W
<input checked="" type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input checked="" type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input checked="" type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		

NEEDS/PROBLEMS/COMMENTS:**1. Need clarification regarding additional independent powers requested.**

Pursuant to Local Rule Local Rule 7.15.2, it is the policy of the Court to grant a conservator only those independent powers necessary to administer the estate and a request for all powers described will not be granted by the Court.

Petitioner continues to request independent powers under Probate Code §§ 2590 and other sections (see Attachments 1d, 1l); however, Petitioner does not describe specific powers requested or provide any information regarding the necessity of such powers.

Note: Petitioner also requests all powers under Probate Code §2351 (Attachment 1l)); however, all powers are *included* in general conservatorship, and this section allows powers to be *limited* if appropriate.

2. As previously noted: Need estimate of annual income for bond purposes.

Note: Current bond filed is \$11,000.00, based on personal property estimate only. However, according to the Court Investigator's report, income sources include a 20% share of income from her late husband's estate as well as her Social Security and a VA pension (amount not specified). Pursuant to Cal. Rules of Court 7.204, the Conservatee has a duty to request increased bond immediately upon facts making such increase necessary. See also Probate Code §2320 and Cal. Rules of Court 7.207.

3. As previously noted: The Court Investigator's report indicates that Mrs. Baker will be receiving a VA pension annuity. Therefore, need proof of service of Notice of Hearing with a copy of the petition at least 15 days prior to the hearing on the Office of the Veterans Administration per Probate Code § 1822(d).

Note: *Notice of Hearing indicates service on the "US Dept. of Veterans Affairs" on Palm Avenue in Fresno as well as the VA Hospital on Clinton Avenue in Fresno. However, these are not the proper contacts for notice. Need service on the office of the Veterans Administration having jurisdiction over the area in which the Court is located. (There is no "US Dept. of Veterans Affairs" on Palm Ave. in Fresno. There is a regional office in Oakland, and a regional hub in Salt Lake City. Petitioner is encouraged to contact the VA to confirm the correct address for service of this type of notice.*

Petition for Appointment of Guardian of the Person and Estate (Prob. C. 1510)

Age: 12		TEMPORARY OF THE ESTATE ONLY EXPIRED 02/19/14		NEEDS/PROBLEMS/COMMENTS:	
				<u>See pages 10 and 11 for related matters</u>	
				CONTINUED FROM 02/19/14	
Cont. from 021914		ERNEST ESCOBEDO and CHRISTINE ESCOBEDO , paternal grandparents, are Petitioners and request appointment as Guardians of the Estate without bond and with funds to be deposited into a blocked account.		Note: Per minute order from temporary hearing on 01/14/14, Petitioners agree to withdraw their Petition for Guardianship of the Person and wish to proceed with Guardianship of the Estate only.	
	Aff.Sub.Wit.			Note: Since the Petitioners dropped their request for guardianship of the person at the hearing on 01/14/14, these notes are prepared for Guardianship of the Estate only.	
✓	Verified			1. Need proof of service of <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Guardian of Minor</i> at least 15 days prior to the hearing <u>or</u> Consent & Waiver of Notice <u>or</u> Declaration of Due Diligence on:	
	Inventory			a. Valerie Boyd (mother) – personal service required Note: Service to another person on the mother's behalf does not constitute proper service.	
	PTC			b. Maternal grandfather – service by mail is sufficient	
	Not.Cred.			c. Rose Boyd (maternal grandmother) – service by mail is sufficient Note: Proof of service by mail has been filed regarding the hearing on 12/31/13; but no proof of service is on file regarding the hearing on 02/19/14	
✓	Notice of Hrg			d. Ernie Escobedo, Jr. (minor) – personal service required	
	Aff.Mail	x		e. Delaney Escobedo (sibling) – service by mail sufficient Note: Service to another person on Delaney's behalf does not constitute proper service.	
	Aff.Pub.			2. The Court may require clarification regarding the request for guardianship of the estate with reference to Local Rule 7.15.4: When the only asset of the estate is the receipt of public benefits, the court does not require guardianship estate.	
	Sp.Ntc.			3. If guardianship of the estate is granted, need Order to Deposit Money into Blocked Account (MC-355).	
	Pers.Serv.	x			
✓	Conf. Screen				
✓	Letters				
✓	Duties/Supp				
	Objections				
	Video Receipt				
	CI Report	n/a			
	9202				
✓	Order				
	Aff. Posting				
	Status Rpt				
✓	UCCJEA				
	Citation				
	FTB Notice				
		Father: ERNIE ESCOBEDO – deceased Mother: VALERIE BOYD Maternal grandfather: NOT LISTED Maternal grandmother: ROSE BOYD Siblings: Denaye Escobedo (9); Delaney Escobedo (15) Petitioners state that the father had physical custody of the minors and lived in Petitioner's home with the minors until the father's death on 11/10/13. Petitioners have concerns with the mother's ability to provide a safe and stable home for the minors. Petitioners request guardianship of the estate because it is anticipated that the children will receive SSI benefits due to the death of their father. Petitioners wish to place the SSI benefits into a blocked account to benefit the children's future education. No other assets other than the SSI benefits are anticipated.		Reviewed by: JF Reviewed on: 03/24/14 Updates: Recommendation: File 9 – Escobedo	
		Estimated Value of the Estate: \$0.00			

Petition for Appointment of Guardian of the Person and Estate (Prob. C. 1510)

Age: 9 Cont. from 021914 <table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td style="width: 5%;"></td><td style="width: 85%;">Aff.Sub.Wit.</td><td style="width: 10%;"></td></tr> <tr><td style="text-align: center;">✓</td><td>Verified</td><td></td></tr> <tr><td></td><td>Inventory</td><td></td></tr> <tr><td></td><td>PTC</td><td></td></tr> <tr><td></td><td>Not.Cred.</td><td></td></tr> <tr><td style="text-align: center;">✓</td><td>Notice of Hrg</td><td></td></tr> <tr><td style="text-align: center;">✓</td><td>Aff.Mail</td><td style="text-align: center;">w/</td></tr> <tr><td></td><td>Aff.Pub.</td><td></td></tr> <tr><td></td><td>Sp.Ntc.</td><td></td></tr> <tr><td></td><td>Pers.Serv.</td><td style="text-align: center;">x</td></tr> <tr><td style="text-align: center;">✓</td><td>Conf. Screen</td><td></td></tr> <tr><td style="text-align: center;">✓</td><td>Letters</td><td></td></tr> <tr><td style="text-align: center;">✓</td><td>Duties/Supp</td><td></td></tr> <tr><td></td><td>Objections</td><td></td></tr> <tr><td></td><td>Video Receipt</td><td></td></tr> <tr><td></td><td>CI Report</td><td style="text-align: center;">n/a</td></tr> <tr><td></td><td>9202</td><td></td></tr> <tr><td style="text-align: center;">✓</td><td>Order</td><td></td></tr> <tr><td></td><td>Aff. Posting</td><td></td></tr> <tr><td></td><td>Status Rpt</td><td></td></tr> <tr><td style="text-align: center;">✓</td><td>UCCJEA</td><td></td></tr> <tr><td></td><td>Citation</td><td></td></tr> <tr><td></td><td>FTB Notice</td><td></td></tr> </table>		Aff.Sub.Wit.		✓	Verified			Inventory			PTC			Not.Cred.		✓	Notice of Hrg		✓	Aff.Mail	w/		Aff.Pub.			Sp.Ntc.			Pers.Serv.	x	✓	Conf. Screen		✓	Letters		✓	Duties/Supp			Objections			Video Receipt			CI Report	n/a		9202		✓	Order			Aff. Posting			Status Rpt		✓	UCCJEA			Citation			FTB Notice		<p style="text-align: center;"><u>TEMPORARY OF THE ESTATE ONLY</u> <u>EXPIRES 02/19/14</u></p> <p>ERNEST ESCOBEDO and CHRISTINE ESCOBEDO, paternal grandparents, are Petitioners and request appointment as Guardians of the Estate without bond and with funds to be deposited into a blocked account.</p> <p>Father: ERNIE ESCOBEDO – deceased</p> <p>Mother: VALERIE BOYD</p> <p>Maternal grandfather: NOT LISTED Maternal grandmother: ROSE BOYD</p> <p>Siblings: Ernie Escobedo, Jr. (12); Delaney Escobedo (15)</p> <p>Petitioners state that the father had physical custody of the minors and lived in Petitioner's home with the minors until the father's death on 11/10/13. Petitioners have concerns with the mother's ability to provide a safe and stable home for the minors. Petitioners request guardianship of the estate because it is anticipated that the children will receive SSI benefits due to the death of their father. Petitioners wish to place the SSI benefits into a blocked account to benefit the children's future education. No other assets other than the SSI benefits are anticipated.</p> <p>Estimated Value of the Estate: \$0.00</p>	<p>NEEDS/PROBLEMS/COMMENTS: <u>CONTINUED FROM 02/19/14</u></p> <p>Note: Per minute order from temporary hearing on 01/14/14, Petitioners agree to withdraw their Petition for Guardianship of the Person and wish to proceed with Guardianship of the Estate only.</p> <p>Note: Since the Petitioners dropped their request for guardianship of the person at the hearing on 01/14/14, these notes are prepared for Guardianship of the Estate only.</p> <ol style="list-style-type: none"> 4. Need proof of service of Notice of Hearing with a copy of the <i>Petition for Appointment of Guardian of Minor</i> at least 15 days prior to the hearing <u>or</u> Consent & Waiver of Notice <u>or</u> Declaration of Due Diligence on: <ol style="list-style-type: none"> f. Valerie Boyd (mother) – personal service required Note: Service to another person on the mother's behalf does not constitute proper service. g. Maternal grandfather – service by mail is sufficient h. Ernie Escobedo, Jr. (sibling) – service by mail sufficient i. Delaney Escobedo (sibling) – service by mail sufficient Note: Service to another person on Delaney's behalf does not constitute proper service. 5. The Court may require clarification regarding the request for guardianship of the estate with reference to Local Rule 7.15.4: When the only asset of the estate is the receipt of public benefits, the court does not require guardianship estate. 6. If guardianship of the estate is granted, need Order to Deposit Money into Blocked Account (MC-355). <p>Note to Judge: The Examiner has retained the Order and Letters in this matter.</p> <p>Reviewed by: JF</p> <p>Reviewed on: 03/24/14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 10 – Escobedo</p>
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Petition for Appointment of Guardian of the Person and Estate (Prob. C. 1510)

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			JUDY E. KRAMER , beneficiary, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
			Petitioner states:	
Cont. from			1. She is a beneficiary of the IRREVOCABLE LIFE INSURANCE TRUST OF RODNEY L. KRAMER OF 1980 ("Trust") established by a Trust Agreement dated 12/05/80. The Trust is irrevocable. Rodney L. Kramer is the settlor of the Trsut. Judy E. Kramer, Keith Kramer, and Kelli Kramer Brown are the beneficiaries of the Trust. 2. Article VII of the Trust sets forth the initial and successor trustees of the Trust. This Article was amended by court order on 05/19/05. The current designated trustees are Verna Jackson and Tracy Agrall. Verna Jackson is retired and no longer active as a certified public account. Tracy Agrall has agreed to remain as a successor trustee in the event that the proposed new trustees are unable or unwilling to act. The purpose of the amendment and modification of the Trust is to allow the appointment of a new trustee. 3. The settlor, Rodney L. Kramer, and the beneficiaries Judy E. Kramer, Keith Kramer and Kelli Kramer Brown have consented and agreed to modify the Trust to appoint Keith L. Kramer as trustee of the Trust followed by Kelli A. Brown as successor if Keith ceases to act and then Tracy Agrall as successor if Kelli ceases to act.	
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
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✓	Notice of Hrg			
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	9202			
✓	Order			
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	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice		Petitioner prays for an Order:	File 12 – Kramer
			1. Modifying Article VIII of the IRREVOCABLE LIFE INSURANCE TRUST OF RODNEY L. KRAMER OF 1980 as stated in the Petition.	

			KEITH L. KRAMER , beneficiary, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
Cont. from			<p>Petitioner states:</p> <p>1. Petitioner is a beneficiary of the RODNEY L. KRAMER AND JUDY E. KRAMER IRREVOCABLE TRUST OF 1995 (the "Trust") established by a Trust Agreement dated 08/16/95. The Trust is irrevocable. Rodney L. Kramer and Judy E. Kramer are the settlors of the Trust. Keith L. Kramer and Kelli A. Kramer (now Kelli A. Brown) are the beneficiaries of the Trust.</p> <p>2. Article V of the Trust sets forth the initial and successor trustees of the Trust. The current designated trustees are Verna Jackson, Michael T. Price, Brenton Vance Harris and Darrel T. Price. The beneficiaries are now adults and are in a position to serve as trustees. It would be more efficient to allow them to serve as trustees. Further, Verna Jackson has retired and is no longer an active certified public accountant. Brenton Vance Harris and Darrel T. Price are in poor health.</p> <p>3. The settlors, Rodney L. Kramer and Judy E. Kramer, and the beneficiaries Keith L. Kramer and Kelli A. Brown, have consented and agreed to modify the Trust to appoint Keith L. Kramer as trustee of the Trust followed by Kelli A. Brown as successor if Keith ceases to act and then Tracy Agrall as successor if Kelli ceases to act.</p> <p>Petitioner prays for an Order:</p> <p>1. Modifying Article V of the RODNEY L. KRAMER AND JUDY E. KRAMER IRREVOCABLE TRUST OF 1995 as stated in the Petition.</p>	
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail	w/		
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			

Petition for Appointment of Guardian of the Estate (Prob. C. 1510)

Age: 17 years		<u>TEMPORARY EXPIRES 3/26/14</u>		NEEDS/PROBLEMS/COMMENTS:	
		PUBLIC GUARDIAN is petitioner and requests appointment as guardian of the estate.		1. Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for: <ul style="list-style-type: none"> • Paternal Grandparents (Unknown) • Maternal Grandparents (Unknown) 	
Cont. from		Estimated value of the estate:			
	Aff.Sub.Wit.	Personal property - \$133,000.00			
✓	Verified	Father: DECEASED			
	Inventory	Mother: DECEASED			
	PTC	Paternal grandparents: Unknown			
	Not.Cred.	Maternal grandparents: Unknown			
✓	Notice of Hrg				
✓	Aff.Mail	w/			
	Aff.Pub.				
	Sp.Ntc.				
	Pers.Serv.				
	Conf. Screen	n/a			
✓	Letters				
	Duties/Supp	n/a			
	Objections				
	Video Receipt				
	CI Report				
	9202				
✓	Order				
	Aff. Posting				
	Status Rpt				
	UCCJEA	n/a			
	Citation				
	FTB Notice				
				Reviewed by: LV	
				Reviewed on: 03/24/2014	
				Updates:	
				Recommendation:	
				File 14 – Higgins	

Petition for Letters of Administration; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)

Age:			NEEDS/PROBLEMS/COMMENTS: <u>OFF CALENDAR</u> Request for Dismissal entered 03/20/14	
DOD:				
Cont. from				
	Aff.Sub.Wit.			
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	Not.Cred.			
	Notice of Hrg			
	Aff.Mail			
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	Objections			
	Video Receipt			
	CI Report			
	9202			
	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
				Reviewed by: JF
				Reviewed on: 03/20/14
		Updates:		
		Recommendation:		
		File 15 – Franco		

Status Hearing Re: Filing of the First Account or Petition for Final Distribution

DOD: 5/12/2010	<p>RICK GONZALEZ was appointed as Administrator without bond and with Limited IAEA authority on 4/22/2013.</p> <p>Letters issued on 4/26/2013.</p> <p>I & A filed on 10/2/2012 show the estate valued at \$130,400.00, consisting of real property (encumbered) and minimal personal property.</p> <p>This status hearing was set for the filing of the first account or petition for final distribution.</p> <p>Order Confirming Sale of Real Property was entered on 2/13/14.</p> <p>Status Report filed on 3/24/14 states the real property of the estate sold on 3/18/14. A short continuance is needed to file the First and Final Account and Report.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: Attorney Gary Bagdasarian substituted in on 10/8/2013.</p> <p>A Status Hearing for Receipt or Blocked Account is scheduled for 3/28/14.</p> <p>1. Need First Account, Petition for Final Distribution</p> <p>Note: The three intestate heirs of the estate are the Administrator, Rick Gonzalez, and his two brothers, Louis Edward Gonzalez and John Augustine Miranda.</p>
Cont. from 071713, 082113, 100913, 121813		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
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Notice of Hrg		
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UCCJEA		
Citation		
FTB Notice		
	<p>Reviewed by: KT</p> <p>Reviewed on: 3/24/14</p> <p>Updates: 3/25/14</p> <p>Recommendation:</p> <p>File 16 – Borunda</p>	

DOD: 10-7-12		JOAN ST. LOUIS , Spouse, filed Petition for Assumption of Law Practice of David St. Louis on 9-6-13.	NEEDS/PROBLEMS/COMMENTS:
		Background: Mrs. St. Louis' petition requested:	Continued from 11/13/13, 11/20/13, 1/8/14, 2/26/14
Cont. from 111313, 112013, 010814, 022614		1) That the Court assume jurisdiction over the law practice of David J. St. Louis and appoint attorney PAUL T. CHAMBERS to represent and assist the Court in assuming jurisdiction;	As of 3-25-14, a bond has been filed; however, no status report has been filed.
Aff.Sub.Wit.			
Verified		2) Allow Mr. Chambers to appoint himself as receiver and take possession and control of any and all bank accounts related to Mr. St. Louis' law practice, including the attorney-client trust account which contained \$54,502.09 at 3-31-13 ;	Note: Page 17B is the status hearing for filing of the accounting.
Inventory			
PTC		3) Coordinate with Allison St. Louis, former legal secretary, to determine the clients entitled to funds and the amounts each is owed;	
Not.Cred.			
Notice of Hrg		4) Upon determining the recipients and the amounts owed, that Mr. Chambers be allowed to issue checks to the recipients without further court order;	
Aff.Mail			
Aff.Pub.		5) Specifically, that Mr. Chambers be allowed, without further Court order, to issue checks from a certain estate account (John K. Shirin Estate) to those recipients entitled thereto; and	
Sp.Ntc.			
Pers.Serv.		6) Upon completion, provided accounting.	
Conf. Screen			
Letters		Non-Opposition to Petition was filed 9-30-13 by the State Bar of California.	Reviewed by: skc
Duties/Supp			
Objections		A Creditor's Claim and Request for Special Notice was filed 9-30-13 by Attorney J. Patrick Sullivan, who represents Walter Wentz, Creditor.	Reviewed on: 3-25-14
Video Receipt			
CI Report		Limited Opposition to Petition was filed 10-9-13 by BIANCA SORIA . Ms. Soria states she was a client of Mr. St. Louis, who was wired \$65,000.00 in connection with a settlement. Ms. Soria requested that as a condition to granting the petition, that the Court direct Mr. Chambers to distribute the funds to her, or to post appropriate bond.	Updates:
9202			
Order		At hearing on 10-16-13, the Court granted the petition with additional orders and set this status hearing. See Page 2 for specifics.	Recommendation:
Aff. Posting			
Status Rpt		Subsequent to the hearing, both attorneys David Roberts and Donald Cram submitted competing proposed orders.	File 17A – St. Louis
UCCJEA			
Citation		Therefore, the Court will address the competing proposed orders at this status hearing.	
FTB Notice			
		<u>SEE ADDITIONAL PAGES</u>	

Minute Order 10-16-13: Mr. Cram is appearing via CourtCall on behalf of Bianca Soria. The Court accepts Mr. Roberts representation that Attorney Timothy Magill has been given notice. The Court finds that Patrick James' client has been properly served. The Court will allow the interlination under 9764. The Court grants the petition and waives bond. The Court orders that the \$41,155.89 be paid within 30 days. The Court notes that there are no funds to pay Attorney Chambers and he is acting in pro bono. Matter set for Status Hearing on 11/13/13. If everything is completed by 11/13/13, no appearances will be necessary. Set on 11/13/13 at 9am in Dept 303 for Status Hearing. Additional hearing dates 3/6/14 at 9am Dept 303 for Status Re Accounting; Petition is granted; Order to be signed ex parte.

Attorney David A. Roberts submitted a proposed Order that contains orders as follows:

1. Granting the petition that the Court assume jurisdiction over the law practice, including, but not limited to, dispersing [sic] funds held in the attorney-client trust account;
2. Appointing Paul T. Chambers to represent and assist the Court in assuming jurisdiction over the law practice without bond and shall receive no compensation;
3. That Mr. Chambers coordinate with Allison St. Louis to determine the clients entitled to files, documentation, and/or funds and the amounts each is owed;
4. That the amount that Mr. Chambers finds due to Ms. Soria shall be paid within 30 days from the entry of this order without further Court order;
5. That Mr. Chambers be allowed to appoint himself receiver and take possession of the various accounts and have signature power over such accounts, including that certain account fbo John K. Shirin or his heirs;
6. That after determining the recipients of the files, documents, and money, and the amount thereof, that Mr. Chambers is given the authority to disburse such without further Court order;
7. That Mr. Chambers is authorized without further Court order to issue checks from the John K. Shirin account to those recipients entitled thereto;
8. That upon completing the foregoing tasks, Mr. Chambers provide an accounting, upon approval of which he shall be discharged; and
9. That Mr. Chambers inform the Court of any other action taken as the Court's representative;
10. Setting hearing for approval of the final account on 3-6-14.

Attorney Donald H. Cram submitted an Alternate proposed Order that includes, in addition to the above orders, that Mr. Chambers shall disburse no less than \$41,155.89 to Ms. Soria within 30 days without further Court order.

Update: Per Minute Order 2-26-14, bond of \$47,000.00 was required. Bond was filed 3-17-14. No further status report or accounting has been filed.

Additional Note: The Court had originally set status hearing for 3-6-14 for the filing of the accounting. On 3-6-14, that status hearing was continued with this status hearing. See Page 17B.

Status Hearing Re: Filing of Accounting of the Practice Administrator

		<p>DAVID J. ST. LOUIS, an attorney, passed away 10-7-12.</p> <p>On 10-16-13, pursuant to the petition of JOAN ST. LOUIS, Attorney PAUL T. CHAMBERS was appointed as Practice Administrator pursuant to Probate Code §9764 without bond.</p> <p>At the hearing on 10-16-13, the Court set this status hearing for the filing of a final accounting by the Practice Administrator pursuant to Probate Code §9764(h).</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Continued from 3-6-14</u></p> <p><u>Note:</u> Since the 10-16-13 hearing, the Court has held various status hearings. At a recent status hearing on 2-26-14, the Court was informed that the total in the trust account is \$54,502.09, which is sufficient to fund all claims, and ordered bond of \$47,000.00. Bond has been filed. The status matter was also continued to 3-26-14. See Page 17A.</p> <p>1. Need account or <u>verified written status report</u> pursuant to local rules.</p>
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		Reviewed by: skc	
		Reviewed on: 3-25-14	
		Updates:	
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		File 17B – St. Louis	

Abigail: Age: 5 <div style="border: 1px solid black; padding: 2px;">Cont. from</div> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 5%;"></td> <td style="width: 85%;">Aff.Sub.Wit.</td> <td style="width: 10%;"></td> </tr> <tr> <td style="text-align: center;">✓</td> <td>Verified</td> <td></td> </tr> <tr> <td></td> <td>Inventory</td> <td></td> </tr> <tr> <td></td> <td>PTC</td> <td></td> </tr> <tr> <td></td> <td>Not.Cred.</td> <td></td> </tr> <tr> <td></td> <td>Notice of Hrg</td> <td style="text-align: center;">x</td> </tr> <tr> <td></td> <td>Aff.Mail</td> <td style="text-align: center;">n/a</td> </tr> <tr> <td></td> <td>Aff.Pub.</td> <td></td> </tr> <tr> <td></td> <td>Sp.Ntc.</td> <td></td> </tr> <tr> <td></td> <td>Pers.Serv.</td> <td style="text-align: center;">x</td> </tr> <tr> <td style="text-align: center;">✓</td> <td>Conf. Screen</td> <td></td> </tr> <tr> <td style="text-align: center;">✓</td> <td>Letters</td> <td></td> </tr> <tr> <td style="text-align: center;">✓</td> <td>Duties/Supp</td> <td></td> </tr> <tr> <td></td> <td>Objections</td> <td></td> </tr> <tr> <td></td> <td>Video Receipt</td> <td></td> </tr> <tr> <td></td> <td>CI Report</td> <td></td> </tr> <tr> <td></td> <td>9202</td> <td></td> </tr> <tr> <td style="text-align: center;">✓</td> <td>Order</td> <td></td> </tr> <tr> <td></td> <td>Aff. Posting</td> <td></td> </tr> <tr> <td></td> <td>Status Rpt</td> <td></td> </tr> <tr> <td style="text-align: center;">✓</td> <td>UCCJEA</td> <td></td> </tr> <tr> <td></td> <td>Citation</td> <td></td> </tr> <tr> <td></td> <td>FTB Notice</td> <td></td> </tr> </table>		Aff.Sub.Wit.		✓	Verified			Inventory			PTC			Not.Cred.			Notice of Hrg	x		Aff.Mail	n/a		Aff.Pub.			Sp.Ntc.			Pers.Serv.	x	✓	Conf. Screen		✓	Letters		✓	Duties/Supp			Objections			Video Receipt			CI Report			9202		✓	Order			Aff. Posting			Status Rpt		✓	UCCJEA			Citation			FTB Notice		<p style="text-align: center;"><u>GENERAL HEARING 05/14/2014</u></p> <p>CATHERINE EDWARD, paternal grandmother, and THOMAS EDWARDS, paternal step-grandfather, is petitioner.</p> <p>Father: LUIS TARIN</p> <p>Mother: TRACY SNEED</p> <p>Paternal Grandfather: Not Listed</p> <p>Maternal Grandfather: Tom Sneed Maternal Grandmother: Mary Sneed</p> <p>Petitioners state: the mother of the child is a long-time meth user. When in the hospital to give birth to her other child, Catherine, she tested positive for THC. During pregnancy, mother, had been arrested for fraud and spent five months in jail. The mother has no employment and has not had the child in her home for over a year. Petitioners have always been concerned for the child's safety, but the mother stated for several years that Abigail was not their granddaughter. However, last year a paternity test was conducted indicating Luis Tarin, petitioners' son, is Abigail's father. After this occurred, Abigail began living with her father. The problem is the father cannot seem to keep his life straight. In 2013 when petitioners initially applied for guardianship the father was incarcerated for parole violation. In November, the father was released and came to pick up the child. Petitioners let the child go with the father as it seemed that the father was making an effort to work on his issues. Last month, the father was arrested again for domestic violence. He is currently incarcerated and petitioners do not know when he will be released. The child is back in the petitioners' care. Petitioners are requesting temporary and general guardianship to ensure that they will not have to hand the child over to either parent.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: This petition is as to Abigail only. Petitioners were appointed guardianship of Catherine N. Tarin on 08/10/2011.</p> <ol style="list-style-type: none"> 1. Need Notice of Hearing. 2. Need proof of personal service five (5) days prior to the hearing of the Notice of Hearing along with a copy of the Temporary Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for: <ul style="list-style-type: none"> • Luis Tarin (Father) • Tracy Sneed (Mother) <div style="border: 1px solid black; padding: 2px; margin-top: 10px;"> Reviewed by: LV Reviewed on: 03/24/2014 Updates: Recommendation: File 18 – Tarin </div>
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Pro Per Duran, Consuelo (Pro Per Petitioner, maternal grandmother)

**Petition for Appointment of Temporary Guardianship of the Person
(Prob. C. 2250)**

Age: 7 years		<p align="center">TEMPORARY GRANTED EX PARTE EXPIRES 3/26/2014</p> <p align="center"><u>General Hearing set for 5/15/2014</u></p> <p>CONSUELO DURAN, maternal grandmother, is Petitioner.</p> <p>Father: ISMAEL GARCIA Mother: AYME CONSUELO RODARTE</p> <p>Paternal grandfather: Unknown Paternal grandmother: Unknown Maternal grandfather: Antonio Rodarte</p> <p>Petitioner states the child's mother has threatened that if Petitioner starts legal proceedings regarding the child she will take him and Petitioner will never see him. Petitioner states the mother has hallucinations daily, and is paranoid and delusional, claiming she is afraid to sleep in her bedroom because her house has evil spirits and that the child has been sexually molested by these spirits. Petitioner states the mother has a boyfriend who is a drug addict and gang member, and is out with his friends burglarizing. Petitioner states the mother allows a friend who is out on the streets prostituting herself to stay in their house, and this environment is not proper for the child.</p> <p>Petitioner requests to be excused from giving notice to the father because he was deported to Mexico for domestic violence, and Petitioner has no way of locating his address; and to the paternal grandparents who are unknown to her.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1) Need proof of five (5) court days' notice by personal service of the Notice of Hearing with a copy of the Petition for Appointment of Temporary Guardian, or Consent to Appointment of Guardian and Waiver of Notice, or a Declaration of Due Diligence for:</p> <ul style="list-style-type: none"> • Ayme Rodarte, mother; • Ismael Garcia, father, if Court does not excuse notice as Petitioner requests. <p>Note: Proof of Personal Service filed 3/14/2014 indicates the Petitioner was personally served, rather than the mother.</p>
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		<p>Reviewed by: LEG</p> <p>Reviewed on: 3/24/14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 19 – Rodarte</p>	

Petition for Appointment of Temporary Guardian of the Person

Age: 5		<u>GENERAL HEARING 05/20/14</u>		NEEDS/PROBLEMS/COMMENTS:	
		RUBEN ANTHONY ESTRADA , non-relative, is Petitioner.		1. Need <i>Notice of Hearing</i> .	
		Father: UNKNOWN		2. Need proof of personal service at least 5 court days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Temporary Guardian of the Person</i> <u>or</u> <i>Consent & Waiver of Notice</i> <u>or</u> <i>Declaration of Due Diligence</i> for:	
Cont. from		Mother: JAMIE CASTILLO		a. Father (unknown)	
<input type="checkbox"/>	Aff.Sub.Wit.	Paternal grandparents: UNKNOWN		b. Jamie Castillo (mother)	
✓	Verified	Maternal grandfather: JOSEPH COLE - deceased			
<input type="checkbox"/>	Inventory	Maternal grandmother: KIMBERLY COLE – <i>Consent & Waiver of Notice</i> filed 03/14/14			
<input type="checkbox"/>	PTC	Siblings: ISIAH ESTRADA, LEGEND DAVIS			
<input type="checkbox"/>	Not.Cred.	Petitioner alleges that he is Aiden's step-brother's father and that Aiden has lived with him and his brother for several years. Aiden's father is unknown and his mother is not able to care for him or provide a stable home due to drug abuse and legal issues. She currently has an active warrant for her arrest on identity theft and related charges and is classified as a fugitive according to the Court. Petitioner alleges that Aiden has been in his sole care for the past 2 years and that he is the only father Aiden knows.			
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(1) Report on Waiver of Account and (2) Petition for Its Settlement, for (3) Allowance of Attorney Fees and Costs and for (4) Final Distribution

DOD: 04/08/13		CYNTHIA GERRINGER , Administrator, is Petitioner. Accounting is waived. I & A - \$244,765.39 (see note 1) POH - \$138,065.65 (all cash) Administrator - \$8,442.44 (statutory, see note 1) Attorney - \$8,442.44 (statutory, see note 1) Costs - \$435.00 (filing fee) Distribution, pursuant to intestate succession, is to: John Robert Marin - \$60,372.88 Cynthia Geringer - \$60,372.88 Objections to Report and Waiver of Account and Objection to Petition for its Settlement; Points and Authorities filed 01/13/14 by Eleanor Copeland states: 1. Objector is the sole heir of decedent's predeceased spouse and is entitled to inherit 1/2 of the community property under Probate Code § 6402.5(a)(2), 6402.5(b)(2) and 240. 2. The Petition erroneously states that the estate consists entirely of the decedent's separate property. 3. Decedent's estate consists of a residence purchased during her 38 year marriage and decedent's income, earned while married, which funded her pension. Continued on Page 2	NEEDS/PROBLEMS/COMMENTS: <u>CONTINUED FROM 01/16/14 & 02/13/14</u> Minute Order from 01/16/14 states: Mr. Cain is appearing via Courtcall. Ms. Nuttall requests a continuance on behalf of Ms. Sanoian who is out ill. Matter set for Settlement Conference on 02/26/14. Counsel is directed to submit their settlement conference statements along with a courtesy copy of the Court one week before the hearing. Mr. Cain's client will not be required to be personally present on that day however, she is to be available by phone. As of 03/25/14, nothing further has been filed in this matter. 1. The Petition references a final Inventory & Appraisal filed 06/15/13 in the amount of \$108,765.39 on page 3, item 10. However the Final Inventory & Appraisal was filed 10/04/13 reflecting assets in the amount of \$108,618.76. Therefore, it appears that the total assets of the estate equal \$244,618.76 rather than \$244,765.39. This difference also effects the calculation of the statutory fees. 2. Need Order. <u>Note:</u> Examiner calculates the fee base to be \$271,975.20 and the statutory fee to be \$8,439.50, resulting in \$60,375.83 to be distributed to each beneficiary.
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4. Decedent did not designate a beneficiary for her pension and that pension plan has terminated. Those funds are now **former ERISA plan benefits**. (Emphasis in original) The former pension funds have been paid to the Administrator, as they come into decedent's estate, they retain their community property character, and are distributable with other community property.
5. The Petition for Probate appointing Petitioner as Administrator of Decedent's estate failed to state that decedent was survived by a parent of a predeceased spouse and Objector is objecting on that basis. Decedent's husband, George L. Copeland, died on 05/21/09.
6. Objector is an intestate heir of decedent's predeceased spouse under Probate Code § 6402.5(a)(2), 6402.5(b)(2) and has standing to bring these objections. Objector requests judicial notice under Evidence Code § 452(d) of her petition to determine heirship and the beneficial interests of the intestate heirs thereunder.
7. The pension funds that were distributed to the Administrator consist of IBM Retirement Savings and a beneficiary account with the IBM 401 (k) Plus Plan.
8. Decedent's residence on Stanford in Clovis is community property of decedent and her predeceased husband George Copeland. The property was purchased on 06/22/88, during their marriage, they were married on 11/16/72.
9. By law ERISA (Employment Retirement Income Security Act of 1974) federal preemption is limited. California law still creates a community property interest in decedent's income earned during the marriage.
10. Once an ERISA-qualified plan terminates or the participant terminates his or her interest in the plan and the benefits are transferred out of the plan, ERISA no longer applies and there is no federal preemption. In this case, decedent did not designate a pension plan beneficiary, and the funds were property distributed to the Administrator for disposition in decedent's estate.
11. A community property interest in acquired during marriage and before separation. A spouse's community property interest arises at the time it is acquired and is not affected by a change in the form of the property. Its community property status can only be altered by judicial decision or joint action between the parties.
12. In California, the community vs. separate character of property is determined by reference to the time of its acquisition.
13. Both the residence and the IBM Pension funds were acquired during the marriage. The proceeds from the sale of the marital residence and the former 401 (k) pension funds are community property and one-half is distributable under community property principles to the heirs of a predeceased spouse under Probate Code § 6402.5(a)(2) and 6402.2(b)(2). Accordingly, one-half of the estate should be distributed to Objector as the sole heir of the predeceased spouse, and one-half should be distributed to the decedent's heirs at law, being her brother and sister.

Objector prays for an Order:

1. Denying the request to settle the report on waiver of account and the petition thereon;
2. Find that the estate consists entirely of community property;
3. Set bond in an appropriate amount as Objector has not waived bond; and
4. Order that community property be distributed pursuant to Objector's petition to determine heirship.

Petition to Determine Heirship

DOD: 04/08/13 Cont. from 011614, 021314 <table style="width:100%; border-collapse: collapse;"> <tr> <td style="width:5%;"></td> <td style="width:85%;">Aff.Sub.Wit.</td> <td style="width:10%;"></td> </tr> <tr> <td>✓</td> <td>Verified</td> <td></td> </tr> <tr> <td></td> <td>Inventory</td> <td></td> </tr> <tr> <td></td> <td>PTC</td> <td></td> </tr> <tr> <td></td> <td>Not.Cred.</td> <td></td> </tr> <tr> <td>✓</td> <td>Notice of Hrg</td> <td></td> </tr> <tr> <td>✓</td> <td>Aff.Mail</td> <td>w/</td> </tr> <tr> <td></td> <td>Aff.Pub.</td> <td></td> </tr> <tr> <td></td> <td>Sp.Ntc.</td> <td></td> </tr> <tr> <td></td> <td>Pers.Serv.</td> <td></td> </tr> <tr> <td></td> <td>Conf. Screen</td> <td></td> </tr> <tr> <td></td> <td>Letters</td> <td></td> </tr> <tr> <td></td> <td>Duties/Supp</td> <td></td> </tr> <tr> <td></td> <td>Objections</td> <td></td> </tr> <tr> <td></td> <td>Video Receipt</td> <td></td> </tr> <tr> <td></td> <td>CI Report</td> <td></td> </tr> <tr> <td></td> <td>9202</td> <td></td> </tr> <tr> <td></td> <td>Order</td> <td>x</td> </tr> <tr> <td></td> <td>Aff. Posting</td> <td></td> </tr> <tr> <td></td> <td>Status Rpt</td> <td></td> </tr> <tr> <td></td> <td>UCCJEA</td> <td></td> </tr> <tr> <td></td> <td>Citation</td> <td></td> </tr> <tr> <td></td> <td>FTB Notice</td> <td></td> </tr> </table>		Aff.Sub.Wit.		✓	Verified			Inventory			PTC			Not.Cred.		✓	Notice of Hrg		✓	Aff.Mail	w/		Aff.Pub.			Sp.Ntc.			Pers.Serv.			Conf. Screen			Letters			Duties/Supp			Objections			Video Receipt			CI Report			9202			Order	x		Aff. Posting			Status Rpt			UCCJEA			Citation			FTB Notice		<p>ELEANOR COPELAND, is Petitioner.</p> <p>Petitioner states:</p> <ol style="list-style-type: none"> 1. She is the mother of George Copeland, predeceased spouse of decedent Rebecca Copeland and is entitled to inherit under the laws of intestacy set forth in Probate Code § 6402.5(a)(2) and 6402.5(b)(2) and 240. 2. Decedent died intestate on 04/08/13 leaving an estate in Fresno County, California. 3. Decedent's siblings are entitled to inherit under Probate Code § 6402(c). 4. Cynthia Geringer, decedent's sister, filed a Petition for Probate on 05/21/13 and is now the Administrator of decedent's estate. 5. Petitioner's son, George Copeland, was married to the decedent until his death on 05/21/09. Since George died less than 5 years before the decedent's death, Petitioner is entitled to one-half of the decedent's community property (Probate Code § 6402.5(a)(2)). 6. Petitioner alleges that the estate should be divided as follows: <u>Community Property:</u> <ul style="list-style-type: none"> - ½ to Eleanor Copeland, mother of predeceased spouse of the decedent - ¼ to John Robert Marin, brother of decedent - ¼ to Cynthia Geringer, sister of decedent <u>Separate Property:</u> <ul style="list-style-type: none"> - ½ to John Robert Marin, brother of decedent - ½ to Cynthia Geringer, sister of decedent <p>Birth/Death and Marriage Certificates attached to Petition.</p> <p>Petitioner prays that the Court determine the heirship and entitlement to the estate.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>CONTINUED FROM 01/16/14 & 02/13/14</u> Minute Order from 01/16/14 states: Mr. Cain is appearing via Courtcall. Ms. Nuttall requests a continuance on behalf of Ms. Sanoian who is out ill. Matter set for Settlement Conference on 02/26/14. Counsel is directed to submit their settlement conference statements along with a courtesy copy of the Court one week before the hearing. Mr. Cain's client will not be required to be personally present on that day however, she is to be available by phone.</p> <p>As of 03/25/14, nothing further has been filed in this matter.</p> <p>1. Need Order.</p> <table style="width:100%; border-collapse: collapse;"> <tr> <td>Reviewed by: JF</td> </tr> <tr> <td>Reviewed on: 03/25/14</td> </tr> <tr> <td>Updates:</td> </tr> <tr> <td>Recommendation:</td> </tr> <tr> <td>File 1B – Copeland</td> </tr> </table>	Reviewed by: JF	Reviewed on: 03/25/14	Updates:	Recommendation:	File 1B – Copeland
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